

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Dkt: EIS-SCHWARTZ38

In re Application of:  
 Michal EISENBACK-SCHWARTZ et al.  
 Serial No. 10/582,163  
 IA Filing Date: December 9, 2004  
 For: METHOD AND VACCINE COMPRISING...

) Application Division  
 ) ATTN: PCT  
 ) Washington, D.C.  
 ) Confirmation No. 1851  
 ) Date: March 5, 2007

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office  
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 Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated January 25, 2007. Attached hereto is/are:

- [XX] Two (2) executed oaths or declarations in compliance with 37 C.F.R. 1.63, identifying the present application by PCT information and priority information.
- [XX] Application Data Sheet
- [XX] Copy of the "Sequence Listing" in computer readable form (CRF) and statement that contents of the CRF are the same as the paper copy with disk.
- [XX] Additional fees as calculated below:

Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [XX] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
17- 20 =	0	X \$ 50.00
1- 3 =	0	X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
TOTAL OF ABOVE CALCULATIONS		\$130.00
Reduction of ½ for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$ >
SUBTOTAL		\$130.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$
TOTAL NATIONAL FEE		\$130.00

- [ ] Surcharge for late filing of the Declaration was paid on \_\_\_\_\_.
- [ ] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity			Other Than Small Entity		
Response Filed Within			Response Filed Within		
[ ] First	-	\$ 60.00	[ ] First	-	\$ 120.00
[ ] Second	-	\$ 225.00	[ ] Second	-	\$ 450.00
[ ] Third	-	\$ 510.00	[ ] Third	-	\$1,020.00
[ ] Fourth	-	\$ 795.00	[ ] Fourth	-	\$1,590.00
[ ] Fifth	-	\$1,080.00	[ ] Fifth	-	\$2,160.00
month after time period set			month after time period set		

- [XX] Total fees enclosed: \$130.00
- [XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$130.00 is enclosed to cover the above fees.
- [XX] Conditional Petition for Extension of Time:  
 If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

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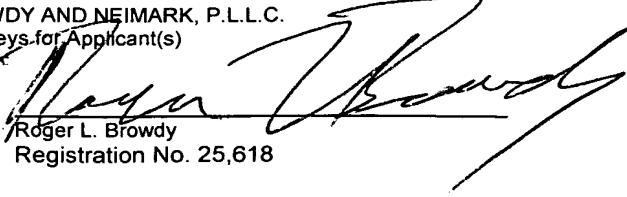
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BROWDY AND NEIMARK, P.L.L.C.  
 Attorneys for Applicant(s)

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BEN



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/582,163	Michal Eisenbach-Schwartz	EIS-SCHWARTZ38
		INTERNATIONAL APPLICATION NO.
		PCT/IL04/01115
		I.A. FILING DATE
		12/09/2004
		PRIORITY DATE
CONFIRMATION NO. 1851		
371 FORMALITIES LETTER		
*OC000000022137299*		
DOCKETED		

Date Mailed: 01/25/2007

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

MSP/Saq=25MR2007

- Copy of the International Application filed on 06/08/2006
- Copy of the International Search Report filed on 06/08/2006
- Copy of IPE Report filed on 06/08/2006
- Preliminary Amendments filed on 06/08/2006
- Information Disclosure Statements filed on 06/08/2006
- Biochemical Sequence Listing filed on 06/08/2006
- Request for Immediate Examination filed on 06/08/2006
- U.S. Basic National Fees filed on 06/08/2006
- Priority Documents filed on 06/08/2006
- Specification filed on 06/08/2006
- Claims filed on 06/08/2006
- Abstracts filed on 06/08/2006
- Drawings filed on 06/08/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is

identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

DEBORAH D WILLIAMS

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Telephone: (703) 308-9140 EXT 205

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/582,163	PCT/IL04/01115	EIS-SCHWARTZ38